

ENTERED

September 03, 2020

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

BRIAN DAVID MOYNIHAN,

Plaintiff,

VS.

ANDREW SAUL,
Commissioner of the Social Security
Administration,

Defendant.

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CIVIL ACTION NO. H-19-1396

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION AND GRANTING
THE DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND DENYING THE
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

This court has reviewed the Memorandum and Recommendation on Cross-Motions for Summary Judgment of the United States Magistrate Judge signed on August 6, 2020, and made a *de novo* determination. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). Based on the pleadings, the record, and the applicable law, the court adopts the Memorandum and Recommendation as this court's Memorandum and Order. This court finds and concludes that the Administrative Law Judge's decision denying social security benefits is supported by substantial evidence in the record and that the Administrative Law Judge properly applied the legal standards. Brian David Moynihan's motion for summary judgment, Docket Entry No. 8, is denied, and the Commissioner's cross-motion for summary judgment, Docket Entry No. 9, is granted.

Final judgment dismissing this case with prejudice is entered by separate order.

SIGNED on September 2, 2020, at Houston, Texas.



Lee H. Rosenthal
Chief United States District Judge